

May 12, 2023

VIA ECF

The Honorable Sarah J. Netburn
United States Magistrate Judge
U.S. District Court for the Southern District of New York
Thurgood Marshall U.S. Courthouse, Room 430
40 Foley Square
New York, New York 10007

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In re Terrorist Attacks on September 11, 2001, Case No. 1:03-md-1570-GBD-SN (S.D.N.Y.)

Dear Judge Netburn:

Yesterday's Rule 30(b)(6) deposition of Al Rajhi Bank went forward in Riyadh as Your Honor ordered. *See* ECF No. 9081. In that deposition, Al Rajhi Bank's corporate representative testified that, in preparing for the deposition, he had met with the Bank's Chairman, Abdullah bin Sulaiman Al Rajhi, for more than two hours earlier in the week, and had reviewed with the Chairman all of the Areas of Inquiry identified in Plaintiffs' Rule 30(b)(6) deposition notice (i.e., forty-five topics and eighty-three subtopics). Al Rajhi Bank's corporate representative further testified that he was prepared to testify about everything discussed with Chairman Al Rajhi, and in fact, under questioning by Plaintiffs' counsel, the representative testified about several aspects of those discussions. Under questioning by Al Rajhi Bank's counsel, the corporate representative also testified that Chairman Al Rajhi reported that he has never met Osama bin Laden, contrary to the speculation by Plaintiffs in one of their letters to Your Honor. *See* Ltr. 4 (Apr. 24, 2023), ECF No. 9053.

The Rule 30(b)(6) testimony by the Bank's corporate representative provides further reason why an apex deposition of Chairman Al Rajhi is unwarranted during the limited jurisdictional discovery in these actions. *See* Mot. 2-3 (Apr. 19, 2023), ECF No. 9037; Reply 4 (ECF No. 9062).

Respectfully submitted,

/s/ Nicole Erb

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